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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,419	03/20/2006	Gianfranco Passoni	NIRSP177	1171
	7590 03/12/200 LD & Daniels, P.L.L.C.	EXAMINER		
112 PLEASAN	T STREET	PARADISO, JOHN ROGER		
CONCORD, NH 03301			ART UNIT	PAPER NUMBER
			3721	
			MAIL DATE	DELIVERY MODE
			03/12/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

This action is FINAL. 2b) ☐ This action is non-final. 3 ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ☐ Claim(s) 49-64 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) 49-64 is/are rejected. 7) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some* c) ☐ None of:								
### Examiner   Soft No. R. Paradiso   3721    ### The MALLING DATE of this communication appears on the cover sheet with the correspondence address  Period for Reply    A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MALLING DATE OF THIS COMMUNICATION.  **Is in a security in specified under this prodesses of 37 CFR 1.136(b), In no count, however, may a reply to the residence of their prompts in security of the most find.  **In 10 period reply is specified under this prodesses of 37 CFR 1.136(b), In no count, however, may a reply to the residence of the reply with the section of the residence of the section of the residence		Application No.	Applicant(s)					
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## **DETAILED ACTION**

## Response to Arguments

1. Applicant's arguments filed 11/29/2007 have been fully considered and are considered persuasive. However, they are most in view of the new grounds of rejection below.

## Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 49-64 rejected under 35 U.S.C. 103(a) as being unpatentable over MILLER (US 4524691) in view of BELEC ET AL (US 5447015) and BUTTON ET AL (US 6199348) and

MILLER discloses a method and apparatus for opening envelopes and inserting items therein. Envelopes are held in a magazine (29) (see Fig. 6) where they are grabbed by a rotating cam (47) (see column 5:25-28), pulled off the cam and rotating drum (36) by means of a stripper bar (see Fig. 6), and conveyed to a filling station.

MILLER does not disclose the drum having suction, nor does it disclose an air stream used to open the envelopes.

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BELEC ET AL discloses a method and apparatus for packing envelopes in which envelopes are carried by a vacuum drum (30) with frictional coatings and vacuum apertures. (see Fig 1 and column 3:60-4:25). The envelopes are pulled from the drum by an oscillating suction gripper

BUTTON ET AL discloses and method and apparatus for packing envelopes in which a flap opening means (28) opens the flap in preparation of inserting items into the envelop by dispensing a compressed air stream to open it (see Fig. 3A and column 7:27-39)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of MILLER by making the pickup drum a suction-assisted drum, as taught by BELEC ET AL, in order to more positively control the envelopes during the process.

It would further have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of MILLER and BUTTON ET AL by adding an air stream, as taught by BUTTON ET AL, in order to more quickly and completely open the envelopes.

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## Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Paradiso. The examiner can normally be reached Monday-Friday, 9:30 p.m. – 6:00 p.m. (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada, can be reached at the number listed below.

Any inquiry of a general nature or relating to the status of this application should be directed to the 3700 Technology Center Receptionist.

/John R Paradiso/

Examiner John Paradiso: (571) 272-4466 March 3, 2008

Additional Phone Numbers:

Supervisor Rinaldi Rada: (571) 272-4467 Fax (Official): (571) 273-8300

Fax (Direct to Examiner) (571) 273-4466 (Drafts only)